

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

# IN RE VALVE ANTITRUST LITIGATION

No. 2:21-cv-00563-JCC

**STIPULATION AND (PROPOSED)  
ORDER RE: CLASS CERTIFICATION  
BRIEFING**

**NOTE ON MOTION CALENDAR:  
FEBRUARY 1, 2024**

The Parties have met and conferred with respect to the upcoming briefing on class certification, and to discuss filing and sealing confidential material in connection with the class certification briefing. The Parties have agreed to the following procedure, and respectfully request the Court enter an order reflecting the Parties' stipulation.

1. In light of the number of issues likely to be raised in the class certification briefing, the parties agree there is good cause to increase the word count limit beyond that in the Local Rules and propose that the class certification opening and opposition briefs shall be limited to 11,000 words. Plaintiffs' reply shall be limited to 5,500 words.

**STIPULATION AND ORDER RE: CLASS CERTIFICATION  
BRIEFING – 1**

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1       2. As a result of the meet and confer, the Parties expect that their briefs, expert  
2 reports, and declarations will quote from, and substantially paraphrase, confidential and highly  
3 confidential – attorney's eyes only material.

4       3 As a practical matter, in order to permit the upcoming briefing on class  
5 certification to proceed in a manner that protects the Parties' confidential and highly  
6 confidential – attorney's eyes only material and complies with LCR 5(g) and the Stipulated  
7 Protective Order, Dkt. No. 95, the Parties propose the following.

8           A. Pursuant to LCR 5(g)(2), the Court orders that each Party may initially  
9 file under seal class certification briefs (including opening briefs,  
10 opposition briefs, and reply briefs), expert declarations or reports,  
11 exhibits, and all other evidence and declarations on which the Party  
12 relies.

13           B. Within ten (10) days of each class certification filing, pursuant to LCR  
14 5(g)(5), the Parties will meet and confer and, as appropriate, file  
15 replacement briefs, expert declarations or reports, exhibits, evidence, and  
16 declarations with necessary redactions, and a corresponding motion to  
17 seal pursuant to LCR 5(g)(3).

18  
19           IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

20           DATED this 1st day of February, 2024.  
21

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PURSUANT TO STIPULATION, IT IS SO ORDERED that:

1. The class certification opening and opposition briefs shall be limited to 11,000 words. Plaintiff's reply shall be limited to 5,500 words.

2. The Parties are permitted to initially file class certification briefs (including opening briefs, opposition briefs, and reply briefs), expert declarations or reports, exhibits, and all other evidence and declarations on which the Party relies, under seal.

3. The Parties shall meet and confer. Within ten (10) days of such filings, the Parties will, as appropriate, file replacement briefs, expert reports, exhibits, evidence, and declarations with necessary redactions, and a corresponding motion to seal.

DATED this                    day of February 2024.

**John C. Coughenour  
UNITED STATES DISTRICT JUDGE**